IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33629 of 2008
MD.KITABUL … … Petitioner
Versus
THE STATE OF BIHAR … Opp. Party
For the petitioner: ShriBhim Kr. Yadav
For the State: Shri Dashrath Mehta,APP
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3. 11.11.2008 Heard.

The case is under Section 394 of the Indian Penal Code and the petitioner is not named in the F.I.R. The rejection order indicates that some witnesses examined in some paragraphs of the case diary named the petitioner just after the incident as one of the robbers.

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The contention is that witnesses being present on or around the place of incident as indicated in the F.I.R., the informant could have learnt about the accused persons from them but still appears not naming the culprits in the F.I.R.

Let the petitioner Md. Kitabul, under the above circumstances, be released on his furnishing ka bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief

Judicial Magistrate, Khagaria, in Parbatta (Maraiya) P.S.Case No. 47 of 2002, G.R. No. 431 of 2002.

(Dharnidhar Jha,J.)

Kanth

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